

U.S. Patent Application Serial No. **10/578,335**
Response filed September 29, 2010
Reply to OA dated July 9, 2010

REMARKS

Claims 1-16 remain pending in this application, of which claim 1 is the sole independent claim. Claims 1 and 9 have been amended. The applicant respectfully submits that no new matter has been introduced by these amendments.

Claim 1 stands rejected under 35 U.S.C. 103(a) as obvious over Tsujii et al (U.S. Patent No. 6,928,234) to in view of Hisatomi et al (U.S. Patent No. 6,546,192).

In the Action, the Examiner relies on “3-4 of Figure 1” of Tsujii to disclose the recitation of claim 1, namely “a second recorder which records the position information created by said first creator onto said recording medium every time that said reference position is specified” (Action, page 4, lines 25-27). Thus, in making this assertion, the Examiner appears to be relying on Tsujii’s frame memory to disclose the recited “recording medium.”

The applicant hereby amends independent claim 1 to recite “a second recorder which records the position information created by said first creator onto said recording medium through an I/F every time that said reference position is specified.” Support for the amendment can be found on page 10, lines 5-7, of the specification, for example.

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The present application relates to a content recording apparatus which is “capable of recording a long-time content onto a recording medium without increasing capacity of an internal memory” (Specification, page2, lines 1-2). In many conventional devices, a plurality of frames of still images are recorded on a recording medium while the index information for managing the frames is stored in an internal memory of the content recording device until the motion picture recording operation is completed. Only after the recording operation is completed, the index information stored in an internal memory is recorded onto the recording medium. Thus, a large internal memory is consumed to record a motion picture for a prolonged time period (Specification, page 1, lines 9-20).

Like these conventional content recording apparatus, Tsujii’s recording device stores its thumbnail pictures in an internal memory before the motion picture recording operation is completed. Thus, Tsujii fails to disclose or suggest a content recording apparatus in which “a second recorder which records the position information created by said first creator onto said recording medium *through an I/F every time that said reference position is specified,*” as now recited in independent claim 1.

For example, column 6, lines 1-11, of Tsujii states that “while the above-described MPEG compression encoding process is being performed, a thumbnail picture generating process is performed. *A generated thumbnail picture is stored in a frame memory.* For example, *after a*

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picture is photographed, a generated thumbnail picture is read as a moving picture sequence. The thumbnail picture moving picture sequence is compression-encoded and recorded to the recording medium 5.”

Again, column 6, lines 13-23, of Tsujii states that: “A photographed moving picture sequence is compression-encoded in a regular picture size... The compression-encoded result is successively written to for example an optical disc 5. While the basic operation is being performed, the compression controlling device 6 reads a relevant frame picture from the frame memory 12 (for example, a semiconductor memory).... and *write the generated thumbnail picture to a dedicated thumbnail picture area of the frame memory 12.*”

Further, column 11, lines 51-60, of Tsujii states that: “the compression controlling device 6 shown in Fig. 1 compression-encodes a regular size moving picture sequence and successively records the resultant bit stream to a record medium such as an optical disc or the like. At the same time, the compression controlling device 6 *stores thumbnail pictures to the frame memory. After the moving picture sequence has been completely photographed*, the compression controlling device 6 compression-encodes the thumbnail pictures and records the resultant bit stream to the recording medium.”

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Obviously, Tsujii's frame memory is an internal memory. Thus, Tsujii teaches storing the thumbnail images in an internal memory until the photographing operation is completed. Accordingly, Tsujii fails to disclose or suggest a content recording apparatus in which "a second recorder which records the position information created by said first creator onto said recording medium through an I/F *every time* that said reference position is specified," as now recited in independent claim 1.

Hisatomi also fails to disclose or suggest the same. Column 16, lines 3-7, of Histomi states that, in its recording device, the "information necessary for the volume & file management area 70 and the playback control information 102 of the control information are recorded" at the "time of termination of the recording operation." Thus, Hisatomi also discloses storing index information in an internal memory until the termination of the recording operation, and it does not disclose or suggest recording the position information created by the first creator onto a recording medium through an I/F every time the reference position is specified, as now recited in independent claim 1.

Accordingly, none of the cited references discloses or suggests the second recorder now recited in independent claim 1, and the applicant respectfully requests the Examiner to withdraw this obviousness rejection.

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Claim 2 stands rejected under 35 U.S.C. 103(a) as obvious over Tsujii et al in view of Hisatomi et al.

Claim 2 depends from independent claim 1. As explained above, Tsujii and Hisatomi, singly or in combination, fail to disclose or suggest the content recording apparatus now recited in independent claim 1. Accordingly, this obviousness rejection should be withdrawn for the reasons stated above.

Claim 3 stands rejected under 35 U.S.C. 103(a) as obvious over Tsujii et al in view of Hisatomi et al. Claim 3 depends from independent claim 1. Again, Tsujii and Hisatomi fail to disclose or suggest the content recording apparatus now recited in independent claim 1. Accordingly, this obviousness rejection should be also withdrawn.

Further, the applicant notes that, while the Examiner relies on column 5, line 26, of Tsujii to disclose the content recording apparatus recited in independent claim 3, that portion of Tsujii merely states that Tsujii's motion picture recording method relates to recording pictures in MPEG standard, which has an I picture and P picture. That is not what claim 3 recites.

Dependent claim 3, in combination with amended independent claim 1, recites that the recited second recorder records the position information created by the first creator "every time that

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the said reference position [an I-frame picture] is specified.” Tsujii fails to disclose or suggest the same. Rather, Tsujii teaches “extracting a plurality of pictures from the input moving picture sequence at irregular intervals,” and recording a thumbnail version of these pictures in a frame memory until the photographic operation is completely finished.

As explained above, Hisatomi also fails to disclose or suggest the same. Accordingly, Tsujii and Histomi, singly or in combination, fail to disclose or suggest the content recording apparatus now recited in claim 3, and the applicant respectfully requests the Examiner to withdraw this obviousness rejection for this additional reason.

Claim 4 stands rejected under 35 U.S.C. 103(a) as obvious over Tsujii et al in view of Hisatomi et al. Claims 5-8 stand rejected under 35 U.S.C. 103(a) as obvious over Tsujii et al in view of Hisatomi et al. Claim 9 stands rejected under 35 U.S.C. 103(a) as obvious over Tsujii et al in view of Hisatomi et al. Claim 10 stands rejected under 35 U.S.C. 103(a) as obvious over Tsujii et al in view of Hisatomi et al. Claim 11 stands rejected under 35 U.S.C. 103(a) as obvious over Tsujii et al in view of Hisatomi et al. Claim 12 stands rejected under 35 U.S.C. 103(a) as obvious over Tsujii et al in view of Hisatomi et al. Claim 13 stands rejected under 35 U.S.C. 103(a) as obvious over Tsujii et al in view of Hisatomi et al. Claim 14 stands rejected under 35 U.S.C. 103(a) as obvious over Tsujii et al in view of Hisatomi et al. Claim 15 stands rejected under 35 U.S.C.

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103(a) as obvious over Tsujii et al in view of Hisatomi et al. Claim 16 stands rejected under 35 U.S.C. 103(a) as obvious over Tsujii et al in view of Hisatomi et al.

Claims 4-16 ultimately depend from independent claim 1. As explained above, Tsujii and Hisatomi, singly or in combination, fail to disclose or suggest the content recording apparatus now recited in independent claim 1. Accordingly, the applicant respectfully requests the Examiner to withdraw the above obviousness rejections.

In view of the aforementioned amendments and accompanying remarks, claims 1-16, as amended, are in condition for allowance, which action, at an early date, is respectfully requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, the applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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